

JAP:PJB

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

MAHYOUB HAUTER,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

RACHEL L. GRAVES, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

Upon information and belief, on or about and between February 2015 and the present, within the Eastern District of New York and elsewhere, the defendant, MAHYOUB HAUTER, did knowingly and intentionally retain children who had been inside the United States outside of the United States, with the intent to obstruct the lawful exercise of parental rights of another.

(Title 18, United States Code, Section 1204(a))

TO BE FILED UNDER SEAL

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF APPLICATION
FOR AN ARREST WARRANT

(18 U.S.C. §1204(a))

17-M-353

The source of your deponent's information and the grounds for her belief are as follows:¹

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) and have been so employed for approximately 1 year. The information set forth herein is based on an investigation conducted by myself and other special agents of the FBI, as well as the review of records and other evidence as set forth more fully below.

2. During the course of my investigation, I have interviewed Shafika Allahabi, a citizen of the United States. Based upon my interview of Ms. Allahabi and the review of certain documents, I have learned that she is the mother of two children, Abrar Mahyoub Hauter and Noor Mahyoub Hauter.

3. Based on my review of United States Department of State records, I have learned that the children were both born in Brooklyn, New York, are both United States citizens and are currently 8 and 6 years old, respectively.

4. Ms. Allahabi has advised me that she and the defendant MAHYOUB HAUTER married in Yemen in 2006. In 2008 and 2010, Ms. Allahabi gave birth to the two aforementioned children.

5. In 2011, the defendant advised Ms. Allahabi that the family was going to Yemen for a visit. Once Ms. Allahabi, the defendant and the children arrived in Yemen, the defendant took Ms. Allahabi's passport. The defendant also informed Ms. Allahabi that the family would not be returning to the United States.

¹ Because this affidavit is submitted only to illustrate that probable cause exists to believe that the defendant committed certain crimes, all the facts known to me as a result of my investigation have not been included.

6. The couple divorced in Yemen in 2014 and the status of child custody and visitation was not addressed.

5. On or about February 2015 in Yemen, the defendant came to Ms. Allahabi's home and demanded to take the children. The defendant said he would return them in two days. She has not seen her children since that time.

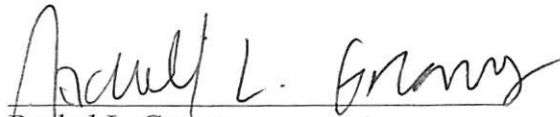
6. On or about October 13, 2015, Ms. Allahbi filed a petition for a writ of habeas corpus in New York State Family Court. I have reviewed copies of the Family Court records from Kings County, New York. Pursuant to a Family Court order dated September 13, 2016, Ms. Allahbi's petition was granted and the defendant was directed to produce the children to New York. The defendant was present for those proceedings and represented by counsel.

7. On December 19, 2016, after the defendant failed to produce the children to Family Court, the Family Court, Kings County, New York issued an arrest warrant for the defendant and granted Ms. Allahabi temporary custody of the children. These orders were extended on January 18, 2017.

8. Based upon information from family members it is believed that the defendant has an appointment at the United States Embassy in Saudi Arabia on April 25, 2017. The FBI in New York has been unable to determine the location of the defendant and the children.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for the defendant so that he may be dealt with according to law. I further request that the Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the affidavit and arrest warrant. Based upon my training and experience, I have learned that criminals actively search for criminal affidavits and arrest warrants via the internet. Therefore, premature disclosure of the contents of this affidavit and related

documents will seriously jeopardize the investigation, including by giving the defendant an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence and change patterns of behavior.



Rachel L. Graves
Special Agent
Federal Bureau of Investigation

Sworn to me this 20th
day of April, 2017


THE HONORABLE PEGGY KUO
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK